The property owned by these 7,758 temples is also vast. According to the settlement of 1012, which comprised only a settlement of garden lands, these private Devasvoms owned 54,155 gardens, tax—free. The temples within the boundaries of Adhigara Olivu and Desa Olivu tracts are excluded from this calculation. The assessed rental of these 54,155 gardens came to 79,496 Rs. It can be safely estimated that the present assessment on them will come to 1½ lacs of Rupees. Multiplying this sum by 25, we get the figure 37½ lacs of Rupees—the capitalized value of those gardens. The paddy lands of the same may be estimated to be worth about 60 lacs of Rupees,—in all, the landed property of the Devaswoms whose welfare it will be the object of this Bill to promote, may be put down as worth 1 crore of Rupees. The movables of these temples may be valued at ½ of a crore, excluding the buildings, almost all of which are in different stages of decay throughout the country. These are the properties known to the public accounts before 1012. Properties purchased since then in the name of those temples, or properties dedicated to them, or to other charities before that date if paying Sircar tax, cannot be discovered from the Sircar accounts. These also will swell the property of these institutions. It may not be far wrong if I estimate that the total value of the endowments meant to be dealt with is about 2 crores of Rupees. I trust this will give the Council an idea of the magnitude and importance of the question we are dealing with.

If you permit, I shall introduce a Bill at an early date. With regard to its scope, I will only state that it is intended to be very limited, that Government seeks no profit by the proposed legislation, that the well-being and prosperity of the institutions are our only aim, and the satisfaction of the public our best reward. No radical changes are contemplated, no vested interests will be rudely disturbed. Dishonest managers will be watched and corrected. Honest trustees will be helped and encouraged. In every way, the intentions of the original donors will be followed and fulfilled.

Permission was granted accordingly.

NEGOTIABLE INSTRUMENTS BILL.

Mr. Prince.—The next business on the agenda paper is the Negotiable Instruments Bill, which was introduced into this Council by another member and entrusted to me after his term of office expired. I have cordially supported the Bill throughout, and was a member of the Select Committee to which it was referred. Our views have been fully explained in the Select Committee's Report which has been published in the Gazette, and has been sufficiently long before the public. At the last meeting of the Council, I, proposed that the consideration of the Bill be deferred, as I understood that the High Court, in reference to a case recently decided by them, were going to make some suggestions in regard to this Bill. These suggestions are now before the Council, in a letter addressed by the High Court to the Dewan, which has been circulated among the members. I have given my best consideration to these suggestions; and with all deference to the High Court, I can see my way clear to adopting only one of those suggestions. I beg to propose, that in para 2 of section 1, the words, "in an *Asiatic* language" be omitted, and the words "other than those executed by, or to, Europeans or Americans", be substituted instead. My reason for the amendment is that as the section now stands, we give the public the benefit of local usage, when the instrument is drawn in their own language which they perfectly understand, but do not give it to them when the instrument is in English, with which they are persumably less familiar. The privilege is not necessary in the case of Europeans and Americans, who draw up their bills in English, according to mercantile usage to which they are well accustomed.

Seconded by Mr. Maltby.

Mr. Ramier.—It seems to me that the amendment proposed has two important defects in it. The first is, that the operation of the saving clause proposed in the amendment would affect not instruments drawn in a particular language as contemplated in the Bill and in the British Act, but instruments between particular persons. If a Bill is drawn up in an Asiatic language—Malayalam or Tamil,—though the party connected therewith may be a European, he cannot bring in local usage to bear upon it. I do not see why, if a European chooses to take a Bill of Exchange from a native,

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evidence of local usage should be excluded. The second objection is that, even if the amendment is adopted, there would be a practical difficulty in its operation. Generally, though documents are not executed by, or to, Europeans, they deal with such documents and become the final party interested. Cheques and Bills of Exchange executed between natives are very often negotiated in favour of Europeans, and I believe that about 90 per cent of the Bills in the Alleppey Bank will be of this description. I do not think my friend wants to exclude these. On these two grounds, I oppose the amendment.

After some discussion, the motion was put to the vote and lost.

Mr. Prince.—I beg to move that the Bill be taken up and passed at a future meeting of which notice shall be given.

Seconded by Mr. Thanu Pillai.

Carried.

VAKILS REGULATION AMENDMENT BILL.

Mr. Ramier.—I beg to move that the Select Committee's Report be taken up for consideration. The Report and the amended Bill have been before the Council for nearly three months, and we have received some invaluable suggestions from quarters where we would naturally expect them, namely, the local Vakils Association and the Vakils in the Mofussil. I think it is now time that the Council takes up the Bill for consideration.

Seconded by Mr. Prince.

Carried.

Section 5.

Mr. Kochukrishna Marar.—I beg to propose that the following be substituted for section 5:—"Subject to the rules under section 4, the High Court is empowered to admit Vakils to the High Court and the subordinate Courts." The object of this amendment is to remove the possible restriction in number contemplated by the section. The soundness of the principle upon which the restriction is based is itself open to question. I would, however, press the amendment upon the ground that such a power does not appear to have been given to the British Indian High Courts; and there is no reason to apprehend that, for years to come, the Travancore Bar will be inconveniently over-crowded.

Seconded by Mr. Poonen.

Mr. Ramier.—I am not for this amendment. No doubt, the words which the mover wants to omit in the section, as it is, convey a meaning that the High Court is competent to limit the number of Vakils in any particular Court, if it deems it necessary. My learned friend, Mr. Kochukrishna Marar, thinks that this power in the High Court is not necessary and desirable under the present state of the profession in the country. I am sorry I am unable to agree with him. I, however, doubt whether the omission of the words as proposed by my friend will secure the object aimed at by him, in the absence of a provision laying a statutory obligation on the High Court to admit every person who qualifies himself under the law as a Vakil.

Mr. Prince.—I support the amendment, and I have a strong reason for doing so. From the standpoint of the practising Vakils, it will be a very good thing to limit the number, for it would give the others who are already there an opportunity for making fees. But it seems to me there is a principle involved in the question before us. Every person has a right to choose his own profession. A student says to himself:—'I don't want to be a doctor. I don't want to be an engineer. I will be a lawyer.' He goes up for the law examinations and qualifies himself. I do not see why the High Court or the Government or anybody else should stand in his way. It is a question of the survival of the fittest. If the new Vakils are better than the old, the latter will naturally go out. I say, again, we should not prevent any person who has qualified himself for the profession from entering it, if he chooses to do so.

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